

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

JASON SMITH on behalf of himself and  
all other Similarly situated,

Plaintiffs,

v.

CIVIL ACTION NO. 3:13-5211

RES-CARE, INC., a Kentucky corporation,

Defendant.

**ORDER AND NOTICE**

Pursuant to LR Civ P 16.1, it is **ORDERED** that the following dates are hereby fixed as the times by or on which certain events must occur:

05/23/13	Motions under FR Civ P 12(b), together with supporting briefs, memoranda, affidavits, or other such matter in support thereof. (All motions unsupported by memoranda will be denied without prejudice pursuant to LR Civ P 7.1(a).)
06/17/13	Last day for Rule 26(f) meeting.
06/24/13	Last day to file report of Rule 26(f) meeting — See Scheduling Order Worksheet, available on the Court's website and at LR Civ P 16.1.
07/08/13	Scheduling/ status conference with the Court and lead counsel at <b>11:30 a.m.</b> , unless otherwise directed. Be prepared to discuss the following: <ul style="list-style-type: none"><li>(a) the discovery to be completed and the amount of time necessary for its completion;</li><li>(b) the further formulation and simplification of issues, including possible elimination of claims or defenses;</li><li>(c) the possibility of entering into stipulations regarding issues for trial;</li><li>(d) the possibility of obtaining admissions regarding facts and documents; and</li><li>(e) other matters that will assist the parties in reaching a final resolution of this matter.</li></ul>

07/18/13      Entry of scheduling order.  
07/22/13      Last day to make FR Civ P 26(a)(1) disclosures.

**NOTICE**

The provision of FR Civ P 14 and 15 with respect to the time in which to file third-party claims and to amend pleadings without leave of court are not affected by this Order and Notice.

Pursuant to LR Civ P 16.1 and 73.1, the parties are informed of their opportunity to consent to the exercise by a magistrate judge of civil jurisdiction over the case, including entry of judgment, as authorized by 28 U.S.C. § 636. The parties may consent by filing a Consent to Jurisdiction by a United States Magistrate Judge (FR Civ P Form 34), or by so indicating on the Report of Parties' Planning Meeting and Scheduling Order Worksheet, all of which are available on the Court's website.

The Court **DIRECTS** the Clerk to send a copy of this Order and Notice to counsel of record and any unrepresented parties.

ENTER:      April 23, 2013

  
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ROBERT C. CHAMBERS, CHIEF JUDGE